IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL REVN. APPLICATION NO.94 OF 2004

Rohini Ravindra Potdar ... Applicant

versus

Maruti Shamrao Toraskar & ors. ... Respondents

...

Mr.Siddharth Karpe, for the Applicant.

Mr.A.S.Gadkari, A.P.P., for the Respondent State.

...

CORAM : A.M.KHANWILKAR,J.

3rd March 2005

P.C.:

. Heard Counsel for the parties. The view taken by the Court below is a possible view. The Court below has rightly noted that the crucial witness on which the prosecution relied, namely, Bapu Balu Jadhav, in his cross-examination admitted that he had never disclosed any statement before the police under section 161. In other words, he has not supported the

prosecution case. The Court below has rightly observed that the inordinate delay has not been explained. The case on hand is one of circumstantial evidence. As there is no clear evidence to complete the links, so as to lead to the conclusion regarding involvement of the accused, no fault can be found with the view taken by the Court below in acquitting the accused. Hence dismissed.

(A.M.KHANWILKAR,J.)